



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON NAVY YARD DC 20374-5066

IN REPLY REFER TO:

5720

Ser 14/014

23 Oct 15

From: Director, General Litigation Division (Code 14)
To: FOIA Coordinator, Department of Defense

Subj: FREEDOM OF INFORMATION ACT (FOIA) APPEAL
DON-NAVY-2015-009361

Ref: (a) 5 U.S.C. § 552
(b) SECNAVINST 5720.42F

Encl: (1) Mr. Jason Manne appeal ltr of 8 Sep 15
(2) OJAG ltr 5720 Ser 14/018 of 23 Oct 15
(3) DON ltr of 2 Mar 15

1. Per references (a) and (b), enclosures (1) through (3) are forwarded for action by your office and direct response to Mr. Manne.

2. In his initial FOIA request to the Naval Criminal Investigative Service (NCIS),¹ Mr. Manne asked for a copy of Vice Admiral Michael Miller's retirement grade determination. When NCIS initially responded to Mr. Manne, NCIS correctly informed him that VADM Miller's retirement grade determination had not yet been made. However, while preparing the response to Mr. Manne's appeal, a member of my staff learned that VADM Miller's retirement grade determination has now been made and that the final determination of his retirement grade was made by the Office of the Secretary of Defense. Therefore, Mr. Manne's request is forwarded to your office for action regarding responsive documents under your cognizance and direct response to Mr. Manne. A referral is also being made to NCIS for an initial release determination regarding responsive documents under the cognizance of the Department of the Navy.

¹ NCIS has been designated as the Initial Denial Authority for all Department of the Navy FOIA requests related to the investigation of Glenn Defense Marine Asia and associated accountability actions, enclosure (3).

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3. Should you have further questions, my point of contact for this matter is LT (b) (6), JAGC, USN, who may be reached at (b) (6) or (b) (6)@navy.mil.

Sincerely,

(b) (6)

G. E. LATTIN

Copy to:
DNS-36
NCIS